

### **REMARKS**

Claims 1-46 were pending in the above-identified application. Claims 1-5, 10, and 13-23 were previously cancelled and claims 6-9, 11-12, and 24-26 were previously withdrawn from consideration. In the amendment mailed on March 21, 2006, the Applicants presented new claims 27-46.

In the May 26, 2006 Office Action, the Examiner asserted that claims 33-37, 44, and 45 were directed to a non-elected invention and only claims 27-32, 39-43, and 46 would be considered for examination. In the Office Action, claims 27-32, 38-43 and 46 were rejected.

With this Amendment, claims 1 and 41 were amended to correct for grammar informalities only and not to further distinguish Applicants' claimed invention over the cited prior art. Accordingly, claims 27-32, 38-43 and 46 remain at issue. However, the Applicants reserve the right to include the withdrawn claims in the present application should a linking claim, such as independent claims 27 and 41 be allowed.

#### **I. Double Patenting Rejection of Claims**

Claims 27-32, 40 and 41 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of co-pending Application No. 11/293,015. In response to this objection, Applicants are submitting a "Terminal Disclaimer." Accordingly, Applicants respectfully request withdrawal of this rejection.

**II. 35 U.S.C. § 102 Anticipation Rejection of Claims And  
35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 27-29, 31, 40-43 were rejected under 35 U.S.C. § 102(b) as being purportedly anticipated by *Suzuki et al.* (U.S. Publication No. 20020018162). Claims 30, 32 and 43 were rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over *Suzuki* in view of *Nishida et al.* (U.S. Patent No. 6052168). Applicant respectfully traverses this rejection.

With respect to independent claim 27, Applicants claim a liquid crystal display device having the following limitations, among others: "a first optical compensation layer and a second optical compensation layer, each of the first and second optical compensation layers being made of an inorganic material and having an optical axis inclined with respect to a surface of the liquid crystal panel, at least one of the first and second optical compensation layers being positioned on the luminous flux incidence side of the liquid crystal panel." Independent claim 41 recites similar limitations.

In the last amendment mailed on March 21, 2006, Applicants argued that neither *Suzuki* nor any of the other cited prior art discloses these limitations. However, the Examiner did not address Applicants' arguments. In particular, Applicants noted that *Suzuki* discloses two optical compensators (233, 234) positioned on the luminous flux emission side of a liquid crystal display panel (232). However, while *Suzuki* mentions that the positions of the optical compensators were not limited to the specific embodiment in Fig. 21, *Suzuki* requires that both optical compensators remain on the emission side of the liquid crystal display panel. Specifically, *Suzuki* states that "the optical compensator 234 can be located at any position so long as the optical compensator 234 is located between the liquid crystal panel 232 and the exit side

polarizer 235." (See Par. [0191]). Thus, *Suzuki* actually teaches away from the invention recited in claims 27 and 41, which require "at least one of the first and second optical compensation layers [to be] positioned on the luminous flux incidence side of the liquid crystal panel."

The Examiner asserts that the liquid crystal display device disclosed by *Suzuki* has two optical compensators (233, 234), but does not rebut Applicants' argument that *Suzuki* actually teaches away from the invention recited in claims 27 and 41, which require "at least one of the first and second optical compensation layers [to be] positioned on the luminous flux incidence side of the liquid crystal panel."

Accordingly, Applicants maintain that *Suzuki* (alone or in combination with any of the other cited references) fails to teach or suggest all the limitations of claims 27 and 41 and respectfully requests that the rejection to these claims be withdrawn.

Claims 28-32, 38-40, 42-43 and 46 depend directly or indirectly from claims 27 or 41 and, thus, should be deemed allowable for at least the same reasons as claims 27 and 41.

**III. Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect. The Commissioner is hereby authorized to charge the extension fee and any additional fees which may be required, or to credit any overpayment to Account No. 19-3140.

Respectfully submitted,

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